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ORDINANCE 2016-31

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE, CHAPTER 8, SECTION 8-2, ENTITLED "JURISDICTION AND POWERS"; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE, CHAPTER 8, SECTION 8-2, ENTITLED “JURISDICTION AND POWERS”; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 2004-15 provided certain jurisdiction and powers to the Lake County Code Enforcement Special Master; and

NOW THEREFORE, be it ordained by the Board of County Commissioners of Lake County, Florida, as follows:

Section 2. Amendment. Lake County Code Chapter 8, Section 8-2 is hereby amended as follows:

The code enforcement special master shall have jurisdiction to hear and decide cases involving an alleged violations or breach of any provision, term and/or condition of the Lake County Code, including the Land Development Regulations, developer agreement, ordinance or any resolution duly enacted by the board of county commissioners. The code enforcement special master shall also have jurisdiction to hear and decide an alleged violation or breach of any provision of a settlement agreement executed by the County and a party or

The code enforcement special master shall have jurisdiction to hear and decide cases involving an alleged violations or breach of any provision, term and/or condition of the Lake County Code, including the Land Development Regulations, developer agreement, ordinance or any resolution duly enacted by the board of county commissioners. The code enforcement special master shall also have jurisdiction to hear and decide an alleged violation or breach of any provision of a settlement agreement executed by the County and a party or

participant resulting from a special master proceeding held under the Florida Land Use and Environmental Dispute Resolution Act (Section 70.51, Florida Statutes). The special master shall have all powers granted by statute, ordinance or by law. The standard which all cases shall be decided shall be by a preponderance of the evidence.

Section 3. Inclusion in Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code.

Section 4. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be construed to have been the Commissioner's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not effect the applicability thereof to any other person, property or circumstances.

Section 5. Filing with the Department of State. The Clerk shall be and is hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State of Florida.

Section 6. Effective Date. This ordinance shall become effective as provided for by law.

ENACTED this day of 12th day of July, 2016.

FILED with the Secretary of State the 1st day of July, 2016.

ATTEST

BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA
Neil Kelly, Clerk of the Board of County Commissioners of Lake County, Florida

Approved as to form and legality:

M. Marsh
Melanie Marsh, County Attorney

BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA

Sean M. Parks
Sean M. Parks, Chairman

This 19th day of July, 2016.